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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 THOMAS R. BRAND, JR.,

10 Plaintiff,

11 vs.

12 WARDEN NEVEN, et al.,

13 Defendants.  
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Case No. 3:08-CV-00197-LRH-(RAM)

**ORDER**

15 The Court found that the Complaint (#6) failed to state a claim upon which relief could be  
16 granted. The Court directed Plaintiff to file an amended complaint, or the Court would dismiss this  
17 action. Order (#5). Plaintiff has not filed an amended complaint within the allotted time.

18 IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice for  
19 failure to state a claim upon which relief can be granted. The Clerk of the Court shall enter  
20 judgment accordingly.

21 DATED this 4th day of August, 2008.



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24 **LARRY R. HICKS**  
**UNITED STATES DISTRICT JUDGE**  
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